

House File 2458 - Introduced

HOUSE FILE 2458
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 2210)

A BILL FOR

1 An Act relating to restrictions on mowing within the
2 right-of-way of interstates, primary highways, and secondary
3 roads.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 314.17, Code 2009, is amended to read as
2 follows:

3 **314.17 Mowing on interstates, and primary highways, and**
4 **secondary roads.**

5 ~~On or after January 1, 2003, the department shall not~~
6 ~~mow~~ Mowing roadside vegetation on the rights-of-way or medians
7 on any primary ~~or highway,~~ interstate highway. ~~Mowing shall~~
8 ~~be permitted as follows,~~ or secondary road prior to July 15 is
9 prohibited, except as follows:

10 1. ~~On rights-of-way which include drainage ditch~~
11 ~~areas.~~ Within two hundred yards of an inhabited dwelling.

12 2. On rights-of-way within ~~three miles~~ one mile of the
13 corporate limits of a city.

14 3. To promote native species of vegetation or other
15 long-lived and adaptable vegetation.

16 4. ~~For establishing~~ To establish control of damaging insect
17 populations, noxious weeds, and ~~invader~~ invasive plant species.

18 5. For visibility and safety reasons.

19 6. Within rest areas, weigh stations, and wayside parks.

20 Sec. 2. Section 317.11, Code 2009, is amended to read as
21 follows:

22 **317.11 Weeds on roads — harvesting of grass.**

23 1. The county boards of supervisors and the state department
24 of transportation shall control noxious weeds growing on the
25 roads under their jurisdiction. Spraying for control of
26 noxious weeds shall be limited to those circumstances when it
27 is not practical to mow or otherwise control the noxious weeds.

28 2. Nothing under this chapter shall prevent the landowner
29 from harvesting, in proper season on or after July 15, the
30 grass grown on the road along the landowner's land except
31 for vegetation maintained for highway purposes as part of
32 an integrated roadside vegetation management plan which is
33 consistent with the objectives in section 314.22.

34 Sec. 3. Section 317.19, Code 2009, is amended to read as
35 follows:

1 **317.19 Road clearing appropriation.**

2 1. The board of supervisors may appropriate moneys to
3 be used for the purposes of cutting, burning, or otherwise
4 controlling weeds or brush within the right-of-way of roads
5 under county jurisdiction ~~in time to prevent reseeding or~~ in
6 a manner consistent with the county's roadside vegetation
7 management plan, if the county has adopted such a plan, or
8 in time to prevent reseeding, except as provided in section
9 314.17. The moneys appropriated shall not be spent on spraying
10 for control of weeds except in those circumstances when it is
11 not practical to mow or otherwise control the weeds.

12 2. The board of supervisors may purchase or hire necessary
13 equipment or contract with the adjoining landowner to carry out
14 this section.

15 EXPLANATION

16 This bill imposes a restriction on mowing within the
17 rights-of-way and medians of interstates, primary highways, and
18 secondary roads before July 15. The restriction applies to the
19 department of transportation, counties, and private property
20 owners.

21 Exceptions to the restriction are allowed for mowing areas
22 within 200 yards of an inhabited dwelling; on rights-of-way
23 within one mile of the corporate limits of a city; to promote
24 native species of vegetation; to establish control of damaging
25 insects, noxious weeds, or invasive plants; for visibility and
26 safety reasons; and within rest areas, weigh stations, and
27 wayside parks.

28 Under the bill, a landowner retains the ability to harvest,
29 in proper season, grass grown on the road along the landowner's
30 land, as long as the harvesting is done on or after July 15
31 and does not conflict with an integrated roadside vegetation
32 management plan.